

UNITED STATES BANKRUPTCY COURT
Southern District of New York

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Fixing of Dates

The debtor(s) listed below filed a chapter 13 bankruptcy case on May 26, 2013.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be reviewed on the Court's Electronic Case File System using a PACER login and password at www.nysb.uscourts.gov or at any of the three divisions of the court during posted business hours.

NOTE: The staff of the bankruptcy clerk's office or the U.S. trustee cannot give legal advice.

**Creditors — Do not file this notice in connection with any proof of claim you submit to the court.
See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Jose Fernandez
1610 Metropolitan Avenue Apt 4B
Bronx, NY 10462

Case Number:
13-11728-shl

Social Security/Taxpayer ID/Employer ID/Other Nos.:
xxx-xx-0307

Attorney for Debtor(s) (name and address):
Christopher B. Graham
250 West 57th Street
Suite 901
New York, NY 10107
Telephone number: (646) 216-8240

Bankruptcy Trustee (name and address):
Jeffrey L. Sapir-13
As Chapter 13 and 12 Trustee
399 Knollwood Road
Suite 102
White Plains, NY 10603
Telephone number: (914) 328-6333

Meeting of Creditors

Date: **July 25, 2013** Time: **10:30 AM**

Location: **Office of the United States Trustee, 80 Broad Street,
Fourth Floor, New York, NY 10004-1408**

Confirmation Hearing

Date: **October 3, 2013** Time: **10:00 AM**

Location: **Courtroom 701, One Bowling Green, New York, NY
10004-1408**

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): **October 23, 2013**

For a governmental unit (except as otherwise provided in Fed. R. Bankr. P. 3002(c)(1)):

Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: September 23, 2013

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Deadline to File Objections to Confirmation of the Plan: September 23, 2013

Filing of Plan

The debtor is required to file a plan setting forth how the debtor's creditors are to be paid pursuant to the Bankruptcy Code. A copy of the plan may be reviewed on the court's Electronic Case File System (ECF) using a PACER login and password at www.nysb.uscourts.gov or at any of the three divisions of the court during posted business hours.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

One Bowling Green
New York, NY 10004-1408
Telephone number: 212-668-2870

For the Court:

Clerk of the Bankruptcy Court:
Vito Genna

Hours Open: Monday – Friday 8:30 AM – 5:00 PM

Date: May 28, 2013

DEBTORS: BRING THIS NOTICE TO YOUR FIRST MEETING OF CREDITORS TO BE HELD PURSUANT TO SECTION 341(A) OF THE BANKRUPTCY CODE, TOGETHER WITH ANY OTHER DOCUMENTS REQUESTED BY THE TRUSTEE.

EXPLANATIONS

B9I (Official Form 9I) (12/12)

Filing of Chapter 13 Bankruptcy Case	A bankruptcy case under chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. The plan may be reviewed on the court's Electronic Case File System (ECF) using a PACER login and password at www.nysb.uscourts.gov or at any of the three divisions of the court during posted business hours. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.
Legal Advice	The staff of the bankruptcy clerk's office and the U.S. trustee cannot give legal advice. You may want to consult an attorney to protect your rights.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions against the debtor and certain co-debtors are listed in Bankruptcy Code § 362 and § 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors and Confirmation of Plan	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court. Confirmation of Plan: The debtor (both husband and wife in a joint case) are required to attend the confirmation hearing. Failure to attend may result in a dismissal of the case.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. A Proof of Claim form (.Official Form B10.) has not been included with this notice. Proof of Claim forms are available online at www.uscourts.gov and on the court's website, www.nysb.uscourts.gov . A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. A proof of claim should be filed in the clerk's office, in person, or by mail with a copy of the proof of claim on diskette or compact disk (CD) preferably in PDF format. Attorneys may use the court's ECF System to file a creditor's proof of claim electronically, provided that the debtor has not retained a Claims and Noticing Agent in its bankruptcy case. If you do not file a Proof of Claim by the "Deadline to file a Proof of Claim" listed on the front side, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important non-monetary rights, including the right to a jury trial. Filing Deadline for a Creditor with a Foreign Address: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to a discharge under Bankruptcy Code § 1328(f), you must file a motion objecting to discharge in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2) or (4), you must file a complaint in the bankruptcy clerk's office by the same deadline. The bankruptcy clerk's office must receive the motion or the complaint and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed on the court's Electronic Case File System using an attorney's login and password issued by the court or on a diskette or compact disk (CD) in PDF format. If you are unable to file electronically or to submit a copy of your filing on diskette or CD, you may file conventionally, provided that you submit with your filing an affidavit of your inability to comply.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
— Refer to Other Side for Important Deadlines and Notices —	